

Screen ICFGB_____ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15.40
 Command _____ ASR Feature Groups B.C.D
 CCNA EXF PON 1998-21479.50593 VER _____ ICSC S801 ReqTyp MD ACT C
 ECCKT AC198301 _____ Status F
 ASR _____ EC Status _____ RPON 1997-21479-14000

===== Service Details =====

NC SHSA NCI 04DS6.44 _____ TLV _____ DFDLRD 11061998
 DDLRD 11061998 DFOC 11061998 QACI _____ TTT 3 TrfTyp TS-TS
 SecTLV _____ EML _____ CIC 0393 TRN _____
 RECCKT _____
 RECCKT _____
 CFA AC198301 21A _____ CPT _____
 CFAU AcSwLoc N/A _____ AcSwType _____
 CKRI TG0018284 _____
 SCFA _____ HBAN _____
 FACTL ATLNGABU0IT CSPC _____ TCIC _____ NS _____
 LT SLC _____ NCI HCED IMPTEL 800-940-0033- _____ MUXLOC _____
 PSAP _____

Remarks

THIS IS A CHANGE ORDER TO CHANGE TANDEM TO MULTI TANDEM. TRFTYP SHOULD BE
 TM-TM.
 ICS9098I - NEXT COMPLETED.

Screen ICFB2_____ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15.40
 Command _____ ASR Feature Groups B.C.D
 CCNA EXF PON 1998-21479.50593 VER ____ ICSC S801 ReqTyp MD ACT C
 ECCKT AC198301 Status F
 ASR EC Status RPON 1997-21479-14000 NC SHSA
 RECCKT
 RECCKT

===== Service Details =====
 SSPC _____ PCU _____ TYPE _____ SSPC _____ PCU _____ TYPE _____
 SSPC _____ PCU _____ TYPE _____ SSPC _____ PCU _____ TYPE _____
 SSPC _____ PCU _____ TYPE _____ SSPC _____ PCU _____ TYPE _____
 SSPC _____ PCU _____ TYPE _____ SSPC _____ PCU _____ TYPE _____
 PRI ADM _____ SEC ADM _____

===== Service Options =====
 SR _ MBR _ OPS _ GETO _ WAC _ COND _ DIDQ _ PC ACT _ REL TSC _____
 ALTRO _____ FGD950 _____
 SCRT _____ CHOK _____ CGAP _____

===== Location Section =====
 SecLOC ATLNGABU01T DNPA/NXX _____

Remarks THIS IS A CHANGE ORDER TO CHANGE TANDEM TO MULTI TANDEM. TRFTYP SHOULD BE
 TM-TM.
 ICS9098I - NEXT COMPLETED.

Screen ICTQ _____ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15:40
 Command _____ Translation Questionnaire
 CCNA EXF PON 1998-21479.50593 VER _____ ICSC SB01 ReqTyp MD Act C
 ECCKT AC198301 Status F

ASR EC Status RPON 1997-21479-14000

===== Administrative Section =====
 Tech-Con JEFF NOBLE _____ Tel 813-829-2812- _____ DB Test TN _____
 ATP BCR3 _____ BCR5 _____ BCR6 _____ M64 _____ GLARE _____

===== Common Section =====
 Ref TG TG TSC APON DIR ANI DA Tk Test Tk SAC OT OVLP
 Act TYP ACC Seq ANI Sig Non

A E AC198301 _____
 B _____
 C _____
 D _____

Ref CTO OSAC USDO CSP CPN CIP FACT AltRef FACT XXXX FACT XXXX FACT XXXX
 A _____
 B _____
 C _____
 D _____

Remarks

CHANGE TANDEM TO MULTI TANDEM.

ICS9098I - NEXT COMPLETED.

Screen ICTQ2____ BDS-TELIS DATA ENTRY SUSBSYSTEM 11051998 15:40
 Command _____ Translation Questionnaire (Continued)

 CCNA EXF PON 1998-21479.50593 VER __ ICSC SB01 ReqTyp MD Act C
 ECCKT AC198301 Status F
 ASR EC Status RPON 1997-21479-14000

----- Common Section (Continued) -----

Ref	BRAND	ANNC	CCW
A	-	_____	Y
B	-	_____	-
C	-	_____	-
D	-	_____	-

C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX
 404744

C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX C.NPA/NXX

C.NPA/NXX C.NPA/NXX _____

ICS9098I - NEXT COMPLETED.

Screen ICTQD _____ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15:40
 Command _____ Translation Questionnaire

CCNR EXF PON 1998-21479.50593 VER ____ ICSC SB01 ReqTyp MD Act C
 ECCKT AC198301 Status F
 ASR EC Status RPON 1997-21479-14000

===== Feature Group D Section =====
 ACIC 1) ____ 2) ____ 3) ____ 4) ____ 5) ____ 6) ____ 7) ____ 8) ____ 9) ____
 CIC 0393 CCClass CC Intra ____ Inter ____ Coin-EA Y ____

ROUTING MATRIX, Service Prefixes
 ANI II 1+ 0+ 1+ 0+ 1+ 0+
 Digits All 1+ 0+ 00 01 01 500 500 700 700 800 900 900 0-L 411 LPDA 0+L
 All A - - - - - - - - - - - - - - -
 00 - - - - - - - - - - - - - - -
 01 - - - - - - - - - - - - - - -
 06 - - - - - - - - - - - - - - -
 07 - - - - - - - - - - - - - - -
 20 - - - - - - - - - - - - - - -
 27 - - - - - - - - - - - - - - -
 52 - - - - - - - - - - - - - - -
 61 - - - - - - - - - - - - - - -
 93 - - - - - - - - - - - - - - -
 ICS9098I - NEXT COMPLETED.

Screen ICTQE____ BDS-TELIS DATA ENTRY SUBSYSTEM 11051998 15:40
 Command _____ Translation Questionnaire

CCNA EXF PON 1998-21479.50593 VER __ ICSC SB01 ReqTyp MD Act C
 ECCKT AC198301 Status F
 ASR EC Status RPON 1997-21479-14000

===== Feature Group D Section (Continued) =====

Routing Exception Matrix

Service Prefixes

ANI II	Line/Class	All	0+	011	1+	0+	1+	0+	1+	0+	0-L	411	LPDA	0+L
Digits	Service	1+	00	01	500	500	700	700	800	900	900			
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ICS9098I - NEXT COMPLETED.

Screen ICASR _____ BDS-TELIS DATA ENTRY SUBSYSTEM 10121998 17.07
 Command _____ Access Service Request Archive
 Transfer Stat R ECI
 CCNA ICF PON 1998-21479-50593 VER ____ ICSC SB01 D/TSENT 10121998 0438PM
 QA ____

D/T Proc 10121998 16.20 D/T Upd 10121998 16.38 Status F CC ____
 D/T Sel 10121998 15.40 D/T Ret 10121998 16.00 SPA ____ CNO ____
 ASR 9828500223 EC Status A FDT ____
 DDD 10141998 Prjct ____ NOR ____ LUP ____ ReqTyp SQ Act C RTR S_
 SUP AFO ____ Exp AENG ALB AGAUT Dated ____ LTP ~~MD~~
 Cust INTERMEDIA/PHONE ONE ____ FBA ____
 FNI ____ CFNI ____ Unit C PIU 100
 CKR TG0018284 ____ PLU ____
 ECCKT AC198301 ____ Qty 0000000
 Qty ____

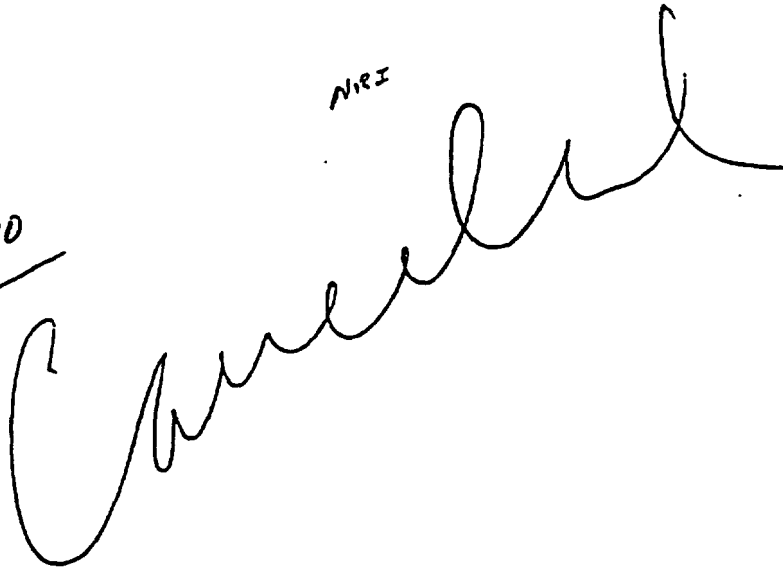
BAN N/A ____ ASG ____ BIC TEL ____ BIC-ID ____
 TSC AC198301 ACTL ATLNGBU01T APOT ____ LA AI ____
 ROrd SPEC PPTD PFPTD ____
 RPON 1997-21479-14000 CCVN ____ ASC-EC TSP ____
 SAN AFG TQ BSA

Remarks THIS ORDER IS A CHANGE ORDER TO CHANGE THE ATLNGBU01T TANDEM TO A MULT
 I TANDEM. SEE ORIGINAL ORDER WHICH IS THE RPON-TRF TYPE SHOULD BE TMTM-TTT=3. ____

ICS0001I - FIND COMPLETE.

Escalate
Tiffany
11:11

1-205-988-6580

NRI


Screen ICADM BDS-TELIS DATA ENTRY SUBSYSTEM 10121998 17.08
Command ASR Administration Information

CCNA ICF PON 1993-21479-50593 VER ICSC SB01 ReqTyp SD Act C
ECCKT AC198301 Status F
ASR 9828500223 EC Status A RPON 1997-21479-14000

===== Billing Information =====
BillNm INTERMEDIA COMMUNICATIONS SBilNm

ACNA ICF TE A EBP
Street 3625 QUEEN PALM ROAD FI Rm VCVTA
City TAMPA State FL Zip 33619-
BillCon LINE COST DEPT Tel 813-621-0011 SCL VTA

===== Contact Information =====

Init JEFF NOBLE Tel 813-829-2812-
Street 3625 QUEEN PALM FI Rm
City TAMPA State FL Zip 33619-

DsgCon JEFF NOBLE Tel 813-829-2812-
Street FAX 813-829-2841 ORC FAX FORC FI Rm
City TAMPA State FL Zip 33619-

ImpCon NOC Tel 800-940-0033-
MTC TEC ON DUTY Tel 800-940-0033
ICS90981 - NEXT COMPLETED.

TM-TM
TQAS

Screen ICSPE____ BDS-TELIS DATA ENTRY SUBSYSTEM 10121998 17.08
 Command____ ASR Special Access Service
 CCNA ICF PON 1998-21479-50593 VER____ ICSC SB01 ReqTyp SD Act C
 ECCKT AC198301 Status F
 ASR 9828500223 EC Status A RPON 1997-21479-14000
 Circuit Detail: NC HCE- NCI 040S6.66 TLV____ S25____ EXR____
 TRF____ MST____ GETO____ GBTN____ HVP____ NSIM____ SR____
 SecNCI____ SI____ SPOT____ SecTLV____ CKLT____
 NSL____ ATN____ CFA N/A____
 CPT____ CFAU____ SSS____ SCFA____
 MUXLoc____ HBRN____ WACD1____
 PRIADM____ WACD2____
 SECADM____ CLK____ NVC____ PSPEED____ LMP____ N/U____ ZLG____ BSC____ ETET____
 Location Sect.:SecLc EATLNGABU01T Street N/A____
 Bldg N/A____ FI N/A____ Rm N/A____ City ATLANTA____ St GA____
 ALoc____
 OTC____ WKTel____
 ACTel____ EUCon____ EUTel____
 LCon____ ACC____
 REN____ JKCod____ PCA____ JKNum____ JKPos____ JS____ SMJK____
 CTX Tel____ CTX Nm____ ISDN SEQ____ of____
 RMKS THIS IS JUST A CHANGE ORDER TO CHANGE TANDEM ATLNGABU01T TO A MULTI TAND
 EM.
 ICS90981 - NEXT COMPLETED.

EXHIBIT C
E-MAIL FROM MICHAEL LOFTON TO KASEY HOWARD

Lofton, Michael G. (EXCH)
From: Lofton, Michael G. (EXCH)
Sent: Thursday, February 18, 1999 12:28 PM
To: 'kasey.howard@bridge.bellsouth.com'
Cc: Thomas, Ed L. (EXCH)
Subject: Closing ASR 1998-21479.50593

Kasey,

Per our conversation this morning, concerning the multiple tandem Architecture, Intermedia concurs with your understanding that Bell South requested this to be deployed to assist with the completion of traffic being blocked due to capacity limitations in the Buckhead tandem. We also understand that Bell South has requested that this arrangement be left in place until BellSouth has worked through the capacity problems in the Atlanta area and specifically the Buckhead tandem. We reiterate our preference to continue our direct interconnection to all the tandems in the Atlanta LATA.

Thus, I am closing out the ASR 1998-21479.50593 that you requested Intermedia submit to BellSouth in November in order to keep your internal records consistent with BellSouth's circuit deployment.

Thanks

Mike Lofton
Manager - Network Facilities
813-829-2284
mlofton@intermedia.com

DUPLICATE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

FEB -7 2000

LUTHER D. THOMAS, Clerk
By: *SA* Deputy Clerk

BELLSOUTH
TELECOMMUNICATIONS, INC.,

Plaintiff,

v.

No. 1:99-CV-0518-JOF

INTERMEDIA COMMUNICATIONS, INC.,
GEORGIA PUBLIC SERVICE COMMISSION,
STANCIL O. WISE in his official capacity
as Chairman, LAUREN "BUBBA"
MCDONALD, in his official capacity as
Commissioner, ROBERT DURDEN,
in his official capacity as Commissioner,
and ROBERT B. BAKER, JR., in his
official capacity as Commissioner,

Defendants.

**BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE TO INTERMEDIA
COMMUNICATIONS, INC.'S MOTION TO COMPEL PAYMENT INTO COURT**

BellSouth Telecommunications, Inc. ("BellSouth") hereby responds to and opposes
Intermedia Communications, Inc.'s ("Intermedia") Motion to Compel BellSouth
Telecommunications, Inc. To Deposit Funds Into Court In Accordance With The Court's Order
(the "Motion"). The Court should deny Intermedia's Motion for two reasons. First, BellSouth
has complied with, and will continue to comply with, the Court's April 30, 1999 Order (Docket
No. 19) ("April 1999 Order") regarding the deposit of funds with the Court. Second, BellSouth
agrees with Intermedia that the rate dispute that has arisen between BellSouth and Intermedia is
not properly before this Court and should be resolved by the Georgia Public Service Commission

(the "GPSC"). The dispute over the appropriate reciprocal compensation rate the parties should be paying in Georgia has nothing to do with the issue presently before the Court, namely whether BellSouth is obligated to pay reciprocal compensation for non-local ISP-bound traffic pursuant to the terms of the parties' interconnection agreement. Consequently, BellSouth regrets that Intermedia continues to attempt to embroil the court in this rate dispute, particularly because, after the filing of the Motion, BellSouth offered to escrow the funds associated with this rate dispute in a separate account pending resolution of the issue by the GPSC. Intermedia rejected BellSouth's offer, proposing instead that the funds be placed with the registry of the court, and remain with the court until the GPSC resolves the rate dispute, even though the rate dispute is not before the Court. Indeed, Intermedia's proposal cannot be squared with its adamant position, as set forth in its Motion, that "this Court is not the jurisdictional forum for...the enforcement issue...." (Motion at 13). For these reasons, BellSouth respectfully requests that the Court deny Intermedia's Motion.

DISCUSSION

I. BELL SOUTH HAS COMPLIED FULLY WITH THE COURT'S ORDER TO DEPOSIT FUNDS INTO COURT.

In its Motion, Intermedia claims that BellSouth has failed to comply with the Court's April 1999 Order by not paying into Court the sums invoiced by Intermedia. Intermedia's position is based on a misunderstanding of the Court's April 1999 Order. In the April 1999 Order, the Court directed "that BellSouth shall deposit with the Court, no later than May 4, 1999, all sums that have been billed to BellSouth by Intermedia *that would be due to Intermedia....*" (April 1999 Order at 2) (Emphasis added). The Court further directed that "BellSouth shall deposit with the Court all sums of disputed reciprocal compensation that have been billed to

BellSouth by Intermedia *that were to be due between March 1, 1999, and May 11, 1999.*" (April 1999 Order at 2) (Emphasis added). Finally the Court held that "BellSouth shall deposit with the Court all further amounts of disputed reciprocal compensation within thirty (30) days of BellSouth's receipt of an invoice from Intermedia...." (April 1999 Order at 2-3). The April 1999 Order does not specify that BellSouth must pay all amounts invoiced; rather, it specifies that BellSouth must pay into Court the "amounts that would be due" if the Court decided in Intermedia's favor on the question of whether reciprocal compensation is due for ISP-bound traffic. BellSouth is not obligated, as Intermedia contends, to pay into Court any amount that Intermedia chooses to bill BellSouth. Such an interpretation would lead to absurd results.

Intermedia's position is that the Court directed BellSouth to pay into Court the "amounts billed by Intermedia." (Motion at 8). This position, however, is faulty because it reads out of the April 1999 Order the clause: "that would be due to Intermedia." Because it renders portions of the April 1999 Order superfluous, such a construction is not permissible. The Court specifically limited the payments into Court to those that would be due if Intermedia prevails on the ISP issue. Moreover, however ill-founded its position, Intermedia already seems to be claiming that BellSouth somehow acquiesced in the rate by making initial payments into the Court using Intermedia's rate. If BellSouth were required by the April 1999 Order to pay into Court all amounts "invoiced," BellSouth would have to pay based on Intermedia's rate and thereby potentially jeopardize its chances of recovering these disputed funds from Intermedia.

BellSouth has complied with the Court's April 1999 Order by paying into the registry of the court the amounts that would be due (i.e. amounts calculated at the appropriate rate) should Intermedia prevail on the ISP issue. Thus, the Court should deny Intermedia's Motion because it

is based on a misinterpretation of the Court's April 1999 Order and of BellSouth's obligations pursuant to that Order.

II. BELLSOUTH AGREES THAT THE GEORGIA PUBLIC SERVICE COMMISSION SHOULD RESOLVE THE DISPUTED RATE ISSUE.

BellSouth agrees with Intermedia that the rate dispute should be addressed in the first instance by the GPSC.¹ In fact, in an effort to resolve this matter, BellSouth proposed in a letter to Intermedia that:

- BellSouth will continue to pay into the Registry of the court appropriate sums for ISP-bound traffic calculated at the rate BellSouth believes is correct.
- BellSouth will establish a separate, interest-bearing escrow account into which it will deposit the difference in reciprocal compensation using the rate it contends is appropriate and the rate Intermedia contends is appropriate.
- Intermedia may file a petition with the Georgia Public Service Commission for a declaratory judgment on the issue of the dispensation of the funds in the separate escrow account.
- Should the district court case conclude prior to the proceeding at the Georgia Public Service Commission, BellSouth will continue to pay the difference between the rate it contends is appropriate and the rate Intermedia contends is appropriate for ISP-bound traffic into the separate escrow account until the Georgia Commission renders a decision regarding the dispensation of the funds.

BellSouth has attached hereto as Exhibit A a copy of its letter to Intermedia.

The purpose of BellSouth's proposal was to achieve precisely what Intermedia purports to want -- the extrication of the Court from a dispute over rates which both parties agree should be in the hands of the GPSC. Intermedia declined to accept BellSouth's proposal. BellSouth continues to be amenable to depositing the disputed funds in a separate escrow account pending the GPSC's resolution of the rate issue; such an arrangement would guarantee Intermedia that the

¹ It is noteworthy that although it continues to complain about the rate BellSouth is using to pay reciprocal compensation to Intermedia, and although it acknowledges that the GPSC is the appropriate forum to resolve this dispute, Intermedia has not yet decided, for whatever reason, to bring its complaint to the GPSC's attention.

funds will be accrued and ready to pay should it prevail at the GPSC, without further burdening this Court about a dispute that is not properly before it.

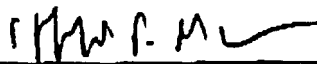
In the alternative, BellSouth will agree to pay the amounts invoiced by Intermedia into the registry of the court so long as no funds whatsoever are disbursed from the registry until the GPSC issues a decision on the rate dispute. Although this alternative will require the Court potentially to maintain the funds in the registry after the Court has issued a decision on the ISP issue, it will address Intermedia's desire to have the disputed funds paid into Court rather than into a separate escrow account.

CONCLUSION

WHEREFORE, BellSouth respectfully requests that this Court DENY Intermedia's Motion and find that BellSouth is in compliance with the Court's April 1999 Order directing BellSouth to pay into Court all sums "that would be due" to Intermedia should Intermedia prevail on the ISP issue. In addition, BellSouth proposes that it either: (1) escrow the disputed funds in a separate escrow fund pending the outcome of the matter before the Georgia Public Service Commission; or (2) deposit the disputed funds with the registry of the court, provided that no funds will be disbursed by the Court until the Georgia Public Service Commission issues a decision on the rate dispute.

This 7th day of February, 2000.

Respectfully submitted,



Matthew H. Patton (Ga. Bar No. 467300)

John F. Beasley (Ga. Bar No. 045000)

Robert P. Marcovitch (Ga. Bar No. 469979)

KILPATRICK STOCKTON LLP

Suite 2800

1100 Peachtree Street

Atlanta, Georgia 30309-4530

(404) 815-6500

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Legal Department

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Atlanta, Georgia 30346

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*Attorneys for Plaintiff BellSouth
Telecommunications, Inc.*

Lisa S. Foshee
Attorney

BellSouth Telecommunications, Inc.
Legal Department - Suite 4300
675 West Peachtree Street
Atlanta, Georgia 30375-0001
Telephone: 404-835-0754
Facsimile: 404-614-4054

January 26, 2000

Scott A. Sapperstein
Intermedia Communications Inc.
3625 Queen Palm Drive
Tampa, FL 33619

Re: *BellSouth Telecommunications, Inc. v. Intermedia Communications, Inc.*,
Case No. 1:99-CV-0518

Dear Scott:

As we discussed in our telephone conversation on January 25, 2000, the following is a written statement of BellSouth's proposal regarding Intermedia's Motion to Compel BellSouth Telecommunications, Inc. To Deposit Funds Into Court. Specifically, BellSouth proposes the following:

- BellSouth will continue to pay into the Registry of the court appropriate sums for ISP-bound traffic calculated at the rate BellSouth believes is correct.
- BellSouth will establish a separate, interest-bearing escrow account into which it will deposit the difference between the rate it contends is appropriate and the rate Intermedia contends is appropriate for ISP-bound traffic.
- Intermedia may file a petition with the Georgia Public Service Commission for a declaratory judgment on the issue of the dispensation of the funds in the separate escrow account.
- Should the district court case conclude prior to the proceeding at the Georgia Public Service Commission, BellSouth will continue to pay the difference between the rate it contends is appropriate and the rate Intermedia contends is appropriate for ISP-bound traffic into the separate escrow account until the Georgia Commission renders a decision regarding the dispensation of the funds.

Please let me know at your earliest convenience whether such terms are acceptable to Intermedia.

Sincerely,



Lisa Foshee

CERTIFICATE OF SERVICE

This is to certify that I have this day caused to be served a true and correct copy of the foregoing **"BELLSOUTH TELECOMMUNICATIONS, INC.'S RESPONSE TO INTERMEDIA COMMUNICATIONS, INC.'S MOTION TO COMPEL PAYMENT INTO COURT"** by mail, with adequate U.S. postage applied, upon the following:

Newton M. Galloway, Esq.
Dean R. Fuchs, Esq.
Newton M. Galloway & Associates
Suite 400, First Union Tower
100 S. Hill Street
Griffin, Georgia 30224
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MediaOne Telecommunications of Georgia, LLC*

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1800 Richard Russell Building
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Theodore C. Hurt, Esq.
Rachel J. Hines, Esq.
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Civil Division
U.S. Department of Justice
901 E. Street, N.W. Room 927
Washington, D.C. 20004

*Attorneys for Proposed Intervenor
United States of America*

Daniel S. Walsh, Esq.
Assistant Attorney General
40 Capitol Square
Atlanta, Georgia 30334

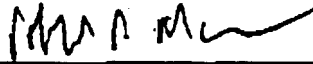
Thomas K. Bond, Esq.
Special Assistant Attorney General
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*Attorney for Defendant Intermedia
Communications, Inc.*

John MacLean, Esq.
2 Martin Luther King Drive
Plaza Level East
Atlanta, Georgia 30334
Consumers' Utility Counsel

This 7th day of February, 2000.



Robert P. Marcovitch

INTERMEDIA COMMUNICATIONS INC.

CERTAINTY IN RECIPROCAL COMPENSATION POLICY IS ESSENTIAL TO PREVENT ANTICOMPETITIVE GAMESMANSHIP

David Ruberg, Chairman & CEO

Heather Gold, VP Regulatory

Jon Canis, Kelley Drye & Warren

February 29, 2000

BELLSOUTH's ANTICOMPETITIVE RECIP. COMP. GAMESMANSHIP

- **BELLSOUTH HAS USED HARASSING
LITIGATION TO DELAY PAYMENT OF
RECIP. COMP. TO INTERMEDIA**
 - Ordered to Pay by FL, NC, GA, TN PUCs
 - Appealed, Stay Denied in FL, NC, GA, Stay
Petition Pending in TN
 - Disputed Payments Now Being Made Pending
Appeal in FL, NC, GA (Direct or Escrow)

BELLSOUTH's ANTICOMPETITIVE RECIP. COMP. GAMESMANSHIP (cont'd)

- AFTER LOSING ITS CASES & STAY REQUESTS, BELLSOUTH NOW ARGUES INTERMEDIA'S RATES ARE INCORRECT -- TOO HIGH
 - Focus on a “Multi-Tandem Architecture”
Amendment to the Interconnection Agreement
- THIS LATEST DISPUTE HAS STARTED A NEW ROUND OF LITIGATION

BELLSOUTH's ANTICOMPETITIVE RECIP. COMP. GAMESMANSHIP (cont'd)

- **THE MTA OFFERING**
 - Proposed by BellSouth in June 1998 After Asserting That Tandem Trunks in Buckhead, GA Were Exhausted
 - MTA proposed by BellSouth as means for bypassing tandem via alternative trunking
 - Bellsouth convinced Intermedia engineers that MTA was the only way to alleviate exhaust in Buckhead

BELLSOUTH's ANTICOMPETITIVE RECIP. COMP. GAMESMANSHIP (cont'd)

- **THE MTA OFFERING (cont'd)**
 - The MTA Amendment Contained a Provision reducing by More Than 70%-80% the Recip. Comp. Rates in Intermedia's Interconnection Agreement
 - Clear That BellSouth Contrived the MTA as a Means of Forcing a Unilateral Reduction in Recip. Comp. Rates